

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: James J Billmayer, 2191 3rd Ave. E., Kalispell, MT 59901
2. Type of action: Provisional Permit to Appropriate Water 76LJ 30026983
3. Water source name: Two Groundwater Wells
4. Location affected by project: S½ NW¼ NW¼, Section 13, Township 28N, Range 22W, Flathead County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

 The applicant is seeking a water use permit for 100 gpm up to 44.5 acre-feet for two deep wells for multiple domestic purposes in an approved Flathead County subdivision named Ashley Trails. The subdivision is located in Section 13, Township 28N, Range 22W, Flathead County. Water to supply the subdivision will come from two deep wells; one drilled to 198 feet and the other to 196 feet. The scope of this EA will focus mainly on the water use from these two wells to identify impacts, if any, from this requested action. Environmental review information as well as identified impacts for the overall subdivision can be found in the Ashley Trails subdivision file located at the Flathead County Planning and Zoning Office. Portions of this information may be reiterated throughout this document.
6. Agencies consulted during preparation of the Environmental Assessment:
 (include agencies with overlapping jurisdiction)
 Department of Environmental Quality
 Natural Heritage Program

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: Not applicable

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: Not applicable

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: This project will not affect water quality or supply. A pump test has provided information to show adequate water appears to be available.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: Both supply wells were drilled by a licensed well driller and comply with the requirements of the Board of Water Well Contractors. Each well will be equipped with a pump that is adequate to lift the water to a storage facility. Six-inch distribution lines will convey water to the place of use.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

Determination: The Montana Natural Heritage Program Species of Concern Report identified 3-species in Township 28N, Range 22W. The Black Tern, Northern Leopard Frog and Sweetflag were the three species of concern identified in the 36-square mile area. A site visit on October 2, 2007 confirmed none of the species occupy the project area.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No wetlands exist in the project area.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: There are no ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: The project is located on land that has been historically irrigated from Ashley Creek. Lawn & garden irrigation from groundwater will not impact soil quality or cause saline seep.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: Individual lot owners are responsible for controlling weed growth on their lots.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: No impact.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: In the past the land has been cultivated. Currently the roads are in place, the wells are drilled and the distribution lines buried. A cultural resources survey will be at the discretion of individual lot owners.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: None

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: The project has been approved by Flathead County.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: No impact.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No impact.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No x___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: None

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No
- (b) Local and state tax base and tax revenues? Yes
- (c) Existing land uses? Yes
- (d) Quantity and distribution of employment? Yes
- (e) Distribution and density of population and housing? Yes
- (f) Demands for government services? Yes
- (g) Industrial and commercial activity? No
- (h) Utilities? Yes
- (i) Transportation? No
- (j) Safety? No
- (k) Other appropriate social and economic circumstances? None

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts: Growth issues and increased traffic.

Cumulative Impacts: Eventual water supply issues as additional subdivisions are developed.

3. Describe any mitigation/stipulation measures: None

4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:

PART III. Conclusion

1. Preferred Alternative: None

2 Comments and Responses: None

3. Finding:

Yes___ No___ *Based on the significance criteria evaluated in this EA, is an EIS required?* No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant impacts have been identified, therefore no EIS is necessary.

Name of person(s) responsible for preparation of EA:

Name: Rich Russell

Title: Water Resources Specialist

Date: October 3, 2007